

**TOWN OF SOUTHEAST
1360 Route 22
Brewster, New York 10509
Thursday, September 17, 2020
EXECUTIVE SESSION 6:30 P.M.
WORK SESSION/REGULAR MEETING 7:00 P.M.**

NOTICE OF TOWN BOARD MEETING AND AGENDA

Please Note: This meeting will take place by videoconferencing and it will be recorded. It will be posted on the Town's Website southeast-ny.gov and a transcript of the meeting will be posted within thirty (30) days of the meeting.

If you have any questions that you would like to address with Town Board during this meeting, please e-mail your questions to thay@southeast-ny.gov before 6:00 P.M. the day of the meeting and the Board will respond to your inquiry at the end of the meeting during "public comment."

To join the meeting:



- 1. If you have not used Zoom before:** Please download the free app prior to the meeting so you are ready when the meeting starts:

<https://zoom.us/download>

- 2. Join from your computer, tablet or smartphone click the following link:**

<https://us02web.zoom.us/j/84302731964?pwd=ZWJ5NHo3bFh1U3lEbFd1Ukw1bUV3Zz09>

When prompted, please provide your full name.

OR

- 3. You can also dial in by using your phone:**

Call-in number: 1-929-436-2866

Meeting ID: 843 0273 1964

Meeting Password: 413479

For Additional Zoom FAQs and tutorials:

<https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started>



TOWN OF SOUTHEAST
1360 Route 22
Brewster, New York 10509
Thursday, September 17, 2020
Executive Session – 6:30 P.M.
WORK SESSION/REGULAR MEETING 7:00 P.M.

Pledge of Allegiance
Notation of Exits
Turn Off/Put on Vibrate – All Electronic Devices

Executive Session:

1. Personnel Matter, Litigation/Code Enforcement

Presentation:

1. Proclamation – Ellie McCaughey

Public Hearings:

1. Commercial Shooting Ranges – Chapter 138
2. Peddling & Soliciting – Chapter 103

Work Session:

1. N/A

Regular Meeting:

1. Correspondence
2. Approval of Voucher List
3. Budget Transfers
4. Setting of Meeting Dates and Public Hearings

All meetings will be held at 1360 Route 22, Brewster, New York
At 7:00 P.M. unless otherwise noted:

Thursday, October 8, 2020

Thursday, October 22, 2020

5. Resolution – Board of Assessment Review Appointment of Stephen P. Moore – Full Term
6. Resolution – Cojax Construction LLC Settlement of Certiorari Proceedings
7. Resolution – Retention and Disposition Schedule For New York Local Government Records
8. Resolution – Authorize the Town Supervisor To Execute License Agreement With Algonquin Gas Transmission LLC
9. Resolution – Extend Refuse Collection And Removal Contract
10. Resolution – ARB Recommendation – Home Depot
11. Supervisor Presents the 2021 Town Budget to the Town Clerk, the Town Clerk presents the 2021 Town Budget to the Town Board
12. Supervisor's Financial Report/Budget Highlights

Recognition of Public/Public Comment

Recognition of Town Board/Town Board Comment

Proclamation

WHEREAS, it is the sense of this Town Board, that the quality of a Community is measured by the unique and extraordinary accomplishments of the citizens who reside within the borders; and

WHEREAS, *Ellie McCaughey*, resident of the Town of Southeast and member of The Town of Southeast Board of Assessment Review since 1995, will be recognized for her dedication and commitment to The Town of Southeast; and

WHEREAS, *Ellie McCaughey* continually showed commitment to the Community through her sense of fairness with all applicants, the public, and other Board members as well as being considered very fair and thorough with all participants with her dedication to assessment fairness for the Southeast Residents; and

Now, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast shall recognize and commend *Ellie McCaughey* at the Town Board Meeting on the 17th day of September 2020, upon the occasion of her more than 25 years of dedication to the Board of Assessment Review. *Ellie McCaughey* is a model Board of Assessment Review member and The Town of Southeast would like to congratulate *Ellie* and her family who have shared in these special accomplishments knowing that, in so doing, she has encouraged others to follow her path.


TONY HAY
SUPERVISOR

EDWIN ALVAREZ
ERIC LARCA

SOUTHEAST TOWN BOARD

JOHN LORD
JOHN O'CONNOR

PH #1

DRAFT

Town of Southeast, Putnam County, NY

Local Law No. __ of 2020

A LOCAL LAW entitled: “A Local Law to Amend Chapter 138 of the Town Code, ‘Zoning’.”

Be it enacted by the Town Board of the Town of Southeast, Putnam County, New York, as follows:

SECTION 1. LEGISLATIVE INTENT

The Town Board of the Town of Southeast proposes to add indoor shooting ranges as a Special Permit Use within the ED, OP-1, OP-2, SR-6, HC, SR22, and RC Zoning Districts. Specific Special Permit criteria are proposed to promote the safe operation of firearms, to minimize potential noise and disruption, and to protect the health, safety, and welfare of the surrounding community. This local law would also clarify existing definitions for recreation uses within the Town of Southeast.

SECTION 2. AMENDMENTS TO ARTICLE I, “GENERAL PROVISIONS; DEFINITIONS”

Section 138-4.B, “Definitions” is hereby amended, in part, to replace the definition of “Recreation” with “Recreation, Commercial” as follows:

RECREATION, COMMERCIAL

Commercial recreation uses include the following indoor and outdoor uses: golf courses and driving ranges; dance, gymnastics, and martial arts studios; health and exercise facilities; tennis, racquetball, pickleball, and squash courts; swimming pools, spas, and splash pads; ice skating rinks; soccer and basketball facilities; rock climbing; and ball sports fields. Commercial recreation also includes the following uses if they are conducted exclusively indoors: go-cart tracks, arcades, and laser tag. Commercial recreation excludes the following outdoor uses: automotive or go-cart tracks; shooting ranges [see shooting ranges]; amusement parks; and any use of archery equipment, guns, weaponry, or similar equipment that may be used to simulate combat, including equipment that has the capacity to propel a projectile or emit a light and/or laser.

Section 138-4.B, “Definitions” is hereby amended, in part, to replace the definition of “Recreation, Residential” as follows:

RECREATION, RESIDENTIAL

Residential recreation uses include the following indoor and outdoor uses: golf courses and driving ranges; dance, gymnastics, and martial arts studios; health and exercise facilities; tennis, racquetball, pickleball, and squash courts; swimming pools, spas, and splash pads; ice skating rinks; soccer or basketball facilities; rock climbing; and ball sports fields. Residential recreation uses shall exclude facilities intended primarily for spectator activities, such as, but not limited to, stadia and arenas, and any of the above permitted uses with spectator seating for more than 25 people. Residential recreation uses shall also exclude shooting ranges; amusement parks; and any use of archery equipment, guns,

weaponry, or similar equipment that may be used to simulate combat, including equipment that has the capacity to propel a projectile or emit a light and/or laser.

Section 138-4.B, "Definitions" is hereby amended, in part, to add the following definition:

SHOOTING RANGE

An indoor facility that is designed or intended as a place for the regular and repeated discharge of firearms, archery, or weaponry for the purpose of target practice or target shooting, skill development and training, recreation and/or competitions, and is open to use by persons other than the owner of the property and the owner's family and social guests, whether the facility is operated by a club or membership group, government entity, or private person or entity.

SECTION 3.

Section 138-54.2 Shooting Ranges is hereby added as follows:

All shooting ranges shall be subject to the following supplementary regulations:

A. Exempt ranges. The provisions of this section shall not apply to shooting ranges not open to the public which are utilized solely for law enforcement and/or governmental purposes.

B. Supervision.

(1) There shall be a certified range master, a firearms instructor or a range safety officer on site and actively in control of the shooting range whenever open to the public or the range is in use.

(2) Range masters, firearm instructors or range safety officers shall have been trained by and have a valid current certification from one of the following organizations:

(a) Firearms instructors: National Rifle Association (NRA), New York State-Division of Criminal Justice Services (NYS-DCJS), International Association of Law Enforcement Firearms Instructors (IALEFI), Smith & Wesson Academy, SIG Arms Academy, any U.S. federal law enforcement agency (FBI, FLETC, ICE, USSS, ATF, USBP), any U.S. military agency (Army, Navy, Marines, Air Force, Coast Guard, National Guard).

(b) Range safety officers: National Rifle Association (NRA), International Defensive Pistol Association (IDPA), International Practical Shooting Association (IPSC), United States Practical Shooting Association (USPSA).

(c) Range master: SIG Arms Academy, Smith & Wesson Academy, Action Target Academy, any U.S. military agency and any federal law enforcement agency.

(3) Range masters, firearm instructors or range safety officers shall also:

(a) Be at least 21 years of age.

(b) Not have ever been convicted of any felony involving violence or intimidation, or the use of firearms or any offense related to the use, control, possession or sale of firearms.

(c) Not be a person prohibited from possessing firearms as provided by Article 265 of the New York State Penal Law.

(4) There shall be at least one range master, firearms instructor or range safety officer for every five shooters.

C. Operation of shooting ranges.

(1) No new shooting range shall be located nearer than 500 feet from the property line of any school, daycare center, church, hospital, public park, or residentially zoned property, or in any location which, in the opinion of the Town Board, will result in the annoyance of any nearby resident.

(2) No gambling, betting or wagering shall be permitted upon the premises.

(3) No alcoholic beverages shall be possessed or consumed on the premises, and no person under the influence of alcohol, mind-altering drugs, or controlled substances as defined by Article 220 of the New York State Penal Law shall be allowed on the premises.

(4) Range masters, firearms instructors, range safety officers, and any other employees shall wear a uniform or other distinguishing mark to identify them as employees.

(5) Access for entrance to the shooting range shall be under continuous control, monitoring and supervision by the operator and/or employees.

(6) All waste material generated at the range will be managed and timely disposed of in accordance with all federal and state hazardous waste regulations.

(7) The conduct and operation of any shooting range shall be in compliance with any and all federal, state and/or local laws, rules, codes and/or regulations.

(8) Firearm types used at shooting ranges are restricted to rifles, shotguns, pistols and similar firearms. The use of bows and crossbows are also permitted. The use of fully automatic firearms and explosives is permitted for official police or military training exercises only.

(9) The owner / operator of the shooting range shall keep on file with the Town Clerk a current certificate of insurance indicating it has in force and effect general liability insurance coverage with coverage limits of not less than \$1,000,000 per occurrence for bodily injury and death, and not less than \$500,000 for property damage.

(10) No shooting range shall operate except upon the issuance of a certificate of compliance issued by the Town of Southeast Code Enforcement Officer signifying the issuance of a special permit, and compliance with the provisions of this section. The certificate of compliance must be renewed annually, and may be revoked at any time upon the determination of the determination of the Code Enforcement Officer that the shooting range is being operated in violation of the provisions of the Special Permit or the provisions of this section.

D. Indoor shooting ranges are subject to the following supplementary regulations:

(1) All doors, gates and entrances leading into that part of the premises between the firing point and the backstop shall be securely locked and alarmed, and no person shall be permitted therein at any time persons are engaged in shooting or have access to the firearms used. Attendants and employees may, however, enter said part of the premises between the firing point and the backstop while shooting is not in progress.

- (2) The shooting range shall be properly and adequately ventilated at all times.
- (3) Shooting ranges shall be subject to the noise restrictions of Chapter 96, “Noise” of the Code of the Town of Southeast.
- (4) Shooting shall not occur before 9:00 a.m. or after 9:00 p.m. seven days per week.

F. Transfer of Special Permit. Shooting range Special Permits shall not be transferred. In the event of any change involving the owner or operator of the business, the type of business, the name of the business or the business location, a new Special Permit shall be required.

G. Severability. Should any section, paragraph, sentence, clause or phrase in this chapter be declared unconstitutional or invalid for any reason, the remainder of this section shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this section are declared to be severable.

SECTION 4. AMENDMENTS TO COMMERCIAL ZONING SCHEDULE

Chapter 138 Attachment 5, “Town of Southeast Commercial Zoning Schedule,” is hereby amended, in part to add “Shooting range” as a Special Permit Use in the following zoning districts:

ED
OP-1
OP-2
SR-6
HC
SR22
RC

Chapter 138 Attachment 5, “Town of Southeast Commercial Zoning Schedule,” is hereby amended, in part as follows:

Note I: In the ~~OP-MU~~ OP-3 Zone, permitted principal uses under special permit, retail/service shall not exceed 5% of the total permitted commercial development area.

Note J: In the ~~OP-MU~~ OP-3 Zone, a floor area ratio of 0.15 shall not be exceeded without a transportation district in place or until the road improvements necessary to accommodate the additional development are made.

Note K: In the ~~OP-MU~~ OP-3 Zone, permitted principal uses, residential use shall not exceed 50% of the total lot area. An open space area, suitably planted and screened, shall be provided on the site consisting of not less than 200 feet between any principal building on a residential lot and any principal building on a commercial lot. Nothing herein shall be deemed to prohibit interior site roads to penetrate such buffer zone.

Note L: In the ~~OP-MU~~ OP-3 Zone, minimum lot size shall be the minimum lot size necessary to qualify for ~~OP-MU~~ OP-3 mixed-use development treatment. In addition, for rezoning purposes, such lot must be currently zoned OP to be considered for rezoning to ~~OP-MU~~ OP-3. Resubdivision of the commercially developed portion of such district shall be governed by the area standards established for OP-3 District. Resubdivision of the residentially developed portions of such district shall be governed by the provisions of the Residence R-20 District of this chapter.

Note O: In the ~~OP-MU~~ OP-3 Zone, parking requirements for office use shall be provided in accordance with § 138-67H.

SECTION 5. VALIDITY

The invalidity of any word, section, clause, paragraph, sentence, part, provision of this Local Law shall not affect the validity of any other part of this Local Law that shall be given effect without such invalid part or parts.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

August 10, 2020

Tony Hay, Supervisor
Town of Southeast Planning Board
1360 Route 22
Brewster, NY 10509

Re: Town of Southeast Local Law to Permit Indoor Shooting Ranges

Dear Supervisor Hay,

The Planning Board has reviewed the proposed local law to permit indoor shooting ranges and issues this report and recommendation pursuant to Section 138-92 of the Town Code. The majority of the Planning Board members recommend adding an indoor shooting range as a special permit use within the zoning districts specified in the draft local law.

The majority of the Planning Board members who voted recommended that the local law be revised to include the following noise mitigation provisions for indoor shooting ranges:

1. No indoor shooting range shall be permitted or operated in such a manner which causes the exterior noise level to exceed the ambient noise level by more than five (5) decibels during daytime hours nor more than three (3) decibels during nighttime hours. The indoor shooting range shall be designed, engineered, and constructed to ensure compliance with this section:
 - a. Ambient noise measurements shall be taken within 5 feet of the exterior wall of the proposed indoor shooting range.
 - b. All soundproofing shall comply with accepted industry standards. Adequate noise baffling or buffering shall be installed to prevent injury to the hearing of unprotected persons outside of the area where firearms are being discharged, and to prevent disturbance to adjacent businesses, residences, and other sensitive uses surrounding the shooting range.
 - c. Applications for indoor shooting ranges shall be required to submit a certified report from a licensed sound engineer that demonstrates compliance with this section. Prior to the issuance of a Certificate of Occupancy, the Applicant shall be required to submit sound readings to the Town Building Inspector that demonstrate the effectiveness of the installed noise baffling or buffering. No Certificate of Occupancy shall be issued until the noise levels are compliant with the certified report.
2. The indoor shooting range shall be located in a stand alone building.

Thank you for your consideration of these recommendations to the proposed local law.

Sincerely,

Thomas LaPerch, Chairman
Town of Southeast Planning Board

cc: Michele Stancati, Town Clerk
Willis Stephens, Town Attorney

Proposed Local Law #8 of 2020

PH #2

A LOCAL LAW pursuant to the Municipal Home Rule Law repealing Chapter 103 of the code of the Town of Southeast entitled “Peddling and Soliciting” and enacting a new Chapter 103 entitled “Peddling and Soliciting” which would regulate the practice of door-to-door peddling, soliciting and vending and regulate the practice of vending food and edible consumer goods from vehicles in the Town

Chapter 103 Peddling and Soliciting

Article I General Regulation

§ 103-1 Title.

This chapter shall be known and be cited as the "Peddling, Vending and Soliciting Law of the Town of Southeast."

§ 103-2 Legislative findings, purpose and authority.

- A. Town residents of the Town have an inalienable interest in their personal safety, comfort, well-being, and privacy in their residences as well as their ability to provide and receive information regarding matters of personal belief, political or charitable activities, and goods and services lawfully in commerce.
- B. This chapter is enacted for the purpose of regulating local activities of itinerant sellers and solicitors of orders for sale in order that the peace, health, safety, welfare and good order of the Town and its inhabitants be preserved.
- C. The Town has a substantial interest in protecting the well-being, tranquility, personal safety, and privacy of its residents, which includes protecting residents from unwanted, harassing, and disruptive intrusions and solicitations upon residential property. The Town also has a substantial interest in protecting residents from fraudulent, misleading, or otherwise unfair consumer sales practices, deceptive door-to-door solicitations, and criminal activity.
- D. There must be a balance between these substantial interests of the Town and its residents and the effect of this chapter on any rights of those regulated. Based on the collective experiences derived from regulating business activity, protecting persons and property from criminal conduct, responding to the inquiries and complaints of residents regarding door-to-door and in-home canvassing and solicitation, the

experience of its law enforcement officers and those affected by door-to-door and in-home canvassing and solicitation, as well as judicial decisions outlining the boundaries of constitutional protections afforded and denied persons seeking to engage in door-to-door and in-home canvassing and solicitation, the Town adopts this chapter to promote the Town's substantial interests in: (a) respecting residents' decisions regarding privacy in their residences; (b) protecting persons from criminal conduct; (c) regulating local activities of itinerant sellers and solicitors of orders for sale in order that the peace, health, safety, and welfare of the Town and its inhabitants shall be preserved; (d) providing equal opportunity to advocate for and against religious belief, political position, or charitable activities; and (e) permitting truthful, nonfraudulent, and non-misleading door-to-door solicitation regarding lawful goods or services in intrastate or interstate commerce that does not violate the property rights of any property owner or resident in the Town.

- E. The Town finds that the procedures, rules, and regulations set forth in this chapter are appropriately and narrowly tailored to preserve and protect the Town interests referred to herein while at the same time balancing the rights of those regulated.
- F. Nothing herein is intended to interfere with or supplant any other requirement of state or federal law regarding any license, permit, or certificate that a registered solicitor is otherwise required to have or maintain. Nothing in this chapter shall be construed to preempt any provision of state or federal law.

§ 103-3 Definitions.

For the purposes of this chapter, the following definitions shall apply:

ADVOCATING

Speech or conduct intended to inform, promote, or support a political position, or charitable activities.

APPEALS OFFICER

The Town Board or designee of the Town Board responsible for receiving the information from the Town and appellant regarding the denial or suspension of a permit and issuing a decision as required by this chapter.

APPELLANT

The person or entity appealing the denial or suspension of a permit, either personally as an applicant or registered solicitor, or on behalf of the applicant or registered solicitor.

APPLICANT

An individual who is at least 18 years of age and not a corporation, partnership, limited liability company, or other lawful entity who applies for a permit allowing door-to-door solicitation.

APPLICATION FORM

A standardized form provided by the Town to an applicant to be completed and submitted as part of registration.

BCI REPORT

An original or copy, dated no older than 180 days prior to the date of the application, of either: (1) a New York State Bureau of Criminal Identification verified criminal history report personal to the applicant; or (2) verification by the New York State Bureau of Criminal Identification that no criminal history rising to the level of a disqualifying status exists for the applicant.

PERMIT

A permit and/or identification badge issued by the licensing officer permitting door-to-door peddling, vending and/or solicitation in the Town pursuant to the terms of this chapter.

CHARITABLE ACTIVITIES

Advocating by persons or entities that either are, or support, a charitable organization.

CHARITABLE ORGANIZATION

Includes any person, joint venture, partnership, limited liability company, corporation, association, group, or other entity:

A. That is:

- (1) A benevolent, educational, voluntary health, philanthropic, humane, patriotic, religious or eleemosynary, social welfare or advocacy, public health, environmental or conservation, or civic organization;
- (2) For the benefit of a public safety, law enforcement, or firefighter fraternal association; or
- (3) Established for any charitable purpose; and

B. That is tax exempt under applicable provisions of the Internal Revenue Code of 1986 as amended, and qualified to solicit and receive tax deductible contributions from the public for charitable purposes; and

C. That is registered in the State of New York and has a charter.

D. "Charitable organization" also includes a chapter, branch, area, or office, or similar affiliate or any person soliciting contributions within the state for a charitable organization that has its principal place of business outside the Town or State of New York.

COMPETENT INDIVIDUAL

A person claiming or appearing to be at least 18 years of age and of sufficiently sound mind and body to be able to engage in rational thought, conversation, and conduct.

COMPLETED APPLICATION

A fully completed application form, a BCI report, two copies of the original identification relied on by the applicant to establish proof of identity, and the tendering of fees.

CRIMINALLY CONVICTED

The final entry of a conviction, whether by a plea of no contest, guilty, entry of a judicial or jury finding of guilt, which has not been set aside on appeal or pursuant to a writ of habeas corpus. The criminal conviction is that offense of which the applicant or registered solicitor was convicted, without regard to the reduced

status of the charge after completion of conditions of probation or parole, and charges dismissed under a plea in abeyance or diversion agreement.

DISQUALIFYING STATUS

Anything specifically defined in this chapter as requiring the denial or suspension of a permit, and any of the following:

- A. The applicant or registered solicitor has been criminally convicted of:
 - (1) Felony homicide;
 - (2) Physically abusing, sexually abusing, or exploiting a minor;
 - (3) The sale or distribution of controlled substances;
 - (4) Sexual assault of any kind;
 - (5) Conviction for criminal or unlawful possession or sale of a weapon or firearm.
- B. Criminal charges currently pending against the applicant or registered solicitor for:
 - (1) Felony homicide;
 - (2) Physically abusing, sexually abusing, or exploiting a minor;
 - (3) The sale or distribution of controlled substances;
 - (4) Sexual assault of any kind;
 - (5) Criminal or unlawful possession or sale of a weapon or firearm.
- C. The applicant or registered solicitor has been criminally convicted of a felony within the last 10 years;
- D. The applicant or registered solicitor has been incarcerated in a federal or state prison within the past five years;
- E. The applicant or registered solicitor has been criminally convicted of a misdemeanor within the past five years involving a crime of:
 - (1) Moral turpitude; or
 - (2) Violent or aggravated conduct involving persons or property.
- F. A final civil judgment has been entered against the applicant or registered solicitor within the last five years indicating that:
 - (1) The applicant or registered solicitor had either engaged in fraud or intentional misrepresentation; or
 - (2) That a debt of the applicant or registered solicitor was non-dischargeable in bankruptcy pursuant to 11

U.S.C. § 523(a)(2), (a)(4), (a)(6) or (a)(19);

G. The applicant or registered solicitor is currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device;

H. The applicant or registered solicitor has an outstanding arrest warrant from any jurisdiction; or

I. The applicant or registered solicitor is currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction.

DOOR-TO-DOOR SOLICITATION

The practice of engaging in or attempting to engage in conversation with any person at a residence, whether or not that person is a competent individual, while making or seeking to make or facilitate a home solicitation sale, or attempting to further the sale of goods and or services.

ENTITY

Includes a corporation, partnership, limited liability company, or other lawful entity, organization, society or association.

FEES

The cost charged to the applicant or registered solicitor for the issuance of a permit and/or identification badge, which shall not exceed the reasonable costs of processing the application and issuing the permit and/or identification badge.

FINAL CIVIL JUDGMENT

A civil judgment that would be recognized under law as a judgment to which collateral estoppel would apply.

FOOD VENDING BUSINESS

The sale of prepared food products for immediate consumption from a motor vehicle, trailer, platform, stand or tenet on any highway or other place within the Town other than within a fully enclosed building or a stand or outside sales and eating place maintained as an adjunct to a food vending business maintained in any adjoining fully enclosed building.

GOODS

One or more tangible items, wares, objects of merchandise, perishables of any kind, subscriptions, or manufactured products offered, provided, or sold.

HOME SOLICITATION SALE

To make or attempt to make a sale of goods or services by a solicitor at a residence by means of door-to-door solicitation, regardless of:

A. The means of payment or consideration used for the purchase;

B. The time of delivery of the goods or services; or

C. The previous or present classification of the solicitor as a solicitor, peddler, hawker, itinerant merchant, or similar designation.

LICENSING OFFICER

The Town Clerk or other designee of the Town Board responsible for receiving from an applicant or registered solicitor the completed application and either granting, suspending, or denying the applicant's permit.

"NO SOLICITATION" SIGN

A reasonably visible and legible sign that states "No Soliciting," or "No Solicitors," or "No Salespersons," or "No Trespassing," or "No-Knock Registry Member," or words of similar import.

PERSON

One or more persons, corporations, partnership, associations, organizations and all other entities.

POLITICAL POSITION

Any actually held belief or information for, against, or in conjunction with any political, social, environmental, or humanitarian belief or practice.

REGISTERED SOLICITOR

Any person who has been issued a current permit by the Town.

REGISTRATION

The process used by the Town licensing officer to accept a completed application and determine whether or not a permit will be denied, granted, or suspended.

RELIGIOUS BELIEF

Any sincerely held belief or information for, against, or in conjunction with, any theistic, agnostic, or atheistic assumption, presumption or position, or religious doctrine, dogma, or practice regardless of whether or not the belief or information is endorsed by any other person or public or private entity.

RESIDENCE

Any living unit contained within any building or structure that is occupied by any person as a dwelling consistent with the zoning laws of the Town, together with the lot or other real property on which the living unit is located. This does not include the sidewalk, public street or public rights-of-way.

RESPONSIBLE PERSON OR ENTITY

That person or entity responsible to provide the following to an applicant, registered solicitor, and the competent individual in a residence to whom a sale of goods or services is made or attempted to be made by means of a home solicitation sale:

- A. Maintaining a state sales tax number, a special events sales tax number, computing the sales taxes owing from any sale of goods or services, paying the sales taxes, and filing any required returns or reports;
- B. Facilitating and responding to requests from consumers who desire to cancel the sale pursuant to applicable contractual rights or law; and
- C. Refunding any monies paid or reversing credit card charges to those persons who timely rescind any sale pursuant to applicable contractual rights or law.

ROADSIDE FARM MARKET

A trucker gardener or farmer who himself or by his agents sells or barter products of his own farm or garden from any location within the Town, other than his residence or farm.

SALE OF GOODS OR SERVICES

The conduct and agreement of a solicitor and the competent individual in a residence regarding a particular good(s) or service(s) that entitles the consumer to rescind the same within three days under any applicable federal, state, or local law.

SERVICES

Those intangible goods or personal benefits offered, provided, or sold to a competent individual of a residence.

SOLICITING or SOLICIT or SOLICITATION

Any of the following activities:

- A. Seeking to obtain sales or orders for the exchange of goods, wares, merchandise or perishables of any kind, for any kind of remuneration or consideration, regardless of whether advance payment is sought;
- B. Seeking to obtain prospective customers to apply for or to purchase insurance, subscriptions to publications, or publications;
- C. Seeking to obtain contributions of money or any other thing of value for the benefit of any person or entity;
- D. Seeking to obtain orders or prospective customers for goods or services;
- E. Seeking to engage an individual in conversation at a residence for the purpose of promoting or facilitating the receipt of information regarding home solicitation sale or purchase; and
- F. Other activities falling within the commonly accepted definition of soliciting, such as canvassing, hawking, or peddling.

SOLICITOR or SOLICITORS

A person(s) engaged in door-to-door solicitation or otherwise engaged in activities constituting solicitation.

SUBMITTED IN WRITING

The information for an appeal of a denial or suspension of a permit submitted in any type of written statement to the Town offices by certified, registered, priority, overnight or delivery confirmation mail, facsimile, or hand delivery.

SUBSTANTIATED REPORT

- A. An oral, written, or electronic report that is submitted to and documented by the Town by any of the following:
 - (1) A competent individual who is willing to provide law enforcement or other Town employees with publicly available identification of their name, address, and any other reliable means of contact;

- (2) A law enforcement officer with jurisdiction in the Town or a licensing officer; or
- (3) Any other regularly established law enforcement agency at any level of government; and

B. That provides any of the following information regarding a registered solicitor:

- (1) Documented verification of a previously undisclosed disqualifying status of a registered solicitor;
- (2) Probable cause that the registered solicitor has a disqualifying status that has not yet been confirmed to be a disqualifying status;
- (3) Documented, eyewitness accounts that the registered solicitor has engaged in repeated patterns of behavior that demonstrates failure by the registered solicitor to adhere to the requirements of this chapter; or
- (4) Reasonable cause that continued licensing of the registered solicitor creates exigent circumstances that threaten the peace, health, safety, or general welfare of any individuals or entities within the Town.

TOWN

The Town of Southeast.

TOWN BOARD

The Town Board of the Town of Southeast.

TOWN CLERK

The Town Clerk of the Town of Southeast.

TRANSIENT RETAIL BUSINESS

A business conducted in any motor vehicle, trailer or tent or on any street or other open place for the sale of retail goods, wares or merchandise, excepting prepared food and farm products.

WAIVER

The written form provided to the applicant by the Town wherein the applicant agrees that the Town may obtain a name/date of birth BCI background check on the applicant for licensing purposes under this chapter, and which contains applicant's notarized signature.

§ 103-4 Solicitation, vending and peddling prohibited.

- A. Unless otherwise authorized, permitted, or exempted pursuant to the terms and provisions of this chapter, the practice of being in and upon a private residence or property upon which a private residence is located within the Town by solicitors, for the purpose of home solicitation sales or to provide goods or services is prohibited and is punishable as set forth in this chapter. It shall be unlawful for any person to conduct or operate a transient retail business, roadside farm market or food vending business, that is not specifically permitted by this chapter.
- B. Further, it shall be unlawful for any person to solicit within the Town without first having registered with the Town Clerk and having received, and having in force and effect, a permit for the same, if such is required by the Town Clerk.

C. Additionally, no person shall engage in the following acts within the Town:

- (1) Promote, influence, or attempt to promote or influence a property owner, occupant, or tenant to list for sale, sell, or remove from a lease real property by referring to race, color, sexual orientation, ethnicity, or religious affiliation of neighbors, prospective buyers or other occupants or prospective occupants of real property.
- (2) Induce directly or indirectly, or attempt to induce directly or indirectly, the sale or listing for sale of real property by representing that the presence or anticipated presence of persons of any particular race, religion, or national origin in the area has resulted in or may result in:
 - (a) The lowering of property values;
 - (b) A change in the racial, religious, or ethnic composition of the block, neighborhood, or area in which the property is located;
 - (c) An increase in criminal or antisocial behavior in the area; or
 - (d) A decline in the quality of the schools serving the area.
- (3) Make any representation or misrepresentation concerning the listing or sale of the anticipated listing for sale or the sale of any real property in any residentially zoned areas for the purpose of inducing or attempting to induce the sale or listing for sale of other real property in such area.
- (4) Make any representation to any prospective purchaser that any block, neighborhood or area has, will or might undergo an adverse change with respect to the religious, racial, or ethnic composition of the block, neighborhood or area for the purpose of discouraging the purchase of property in a particular area.
- (5) Place, canvass, or distribute any letter, sign, note, pamphlet, advertisement, flyer, leaflet, placard, or other written material, to or upon a private residence purporting an offer for sale or purchase for any property that is not in fact offered for sale by the owner of said property.
- (6) Advertise for sale of rental property which is non-existent or which is not actually for sale or rental.
- (7) Engage in or hire or conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, create or play upon unjustified fear with the purpose of inducing or attempting to induce the sale or listing for sale of real property.
- (8) Solicit or canvass any person whose name and property address is included on the list maintained by the Town Clerk of persons requesting that they not be canvassed or solicited, or solicit or canvass any occupant of a residence displaying a "No Solicitation" notice or a "No-Knock Registry Member" sign.
- (9) To engage in any economic reprisal or any other form of intimidation against any person because that person has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or conference under the terms of this chapter.
- (10) To aid, abet, incite, compel or coerce any person to engage in any of the practices forbidden by this chapter or to obstruct or prevent any person from complying with the provisions of this chapter.

- (11) Refer, directly or indirectly or by implication, to race, color, creed, ethnicity, or sexual orientation in any advertisement or other solicitation offering real property for sale or rental.
 - (12) Solicit or attempt to solicit the sale or rental or the listing for sale or rental of real property without furnishing in written form to the owner or occupier of such real property the name of the person or organization soliciting such sale, rental or listing.
 - (13) Solicit on sidewalks.
 - (14) Maintain any booth or stand or place any barrels, boxes, crates or other obstruction upon any street, sidewalk or public place for the purpose of conducting business without the express advanced approval of the Code Enforcement Officer or the Town Board.
 - (15) Willfully misstating any fact about any article offered for sale.
 - (16) Willfully offering for sale any article of an unwholesome or defective nature.
 - (17) Call attention to his goods by blowing a horn, by ringing a bell, other than a house doorbell, by shouting or crying or by any loud or unusual noise, except that peddlers of ice cream and ice cream products for immediate consumption are exempted from the foregoing prohibition of the use of a bell.
 - (18) Frequent any street, sidewalk or public place so as to cause a private or public nuisance.
 - (19) Fail to keep any vehicle or receptacle used by him in his licensed business in a sound, clean and/or sanitary condition.
 - (20) Fail to keep any edible articles offered for sale well-protected from dirt, dust and insects.
 - (21) Fail to deliver to every person to whom a sale is made or from whom an order is taken a legibly written receipt, signed and dated by the purchaser, setting out the total price, a description of the goods or services sold or ordered and a statement of any payment received by the purchaser.
 - (22) Fail to leave premises promptly upon request of any occupant of such premises.
 - (23) Conduct business in a Town right-of-way or on Town property.
 - (24) Conduct activities in such a manner as to interfere with the pedestrian or vehicular use of the public streets and places.
 - (25) Cause or permit the public streets and places to be littered with papers, wrappings or other debris or refuse.
 - (26) Conduct business within 100 feet of a street intersection.
- D. All solicitors shall immediately move from a location if so ordered by any police officer or Town officer on grounds that the location is unsafe. Refusal to obey such order shall be grounds for suspension or revocation of the license. Such order may be appealed to the Town Board in the manner set forth herein.

§ 103-5 Exemptions.

A. The following are exempt from registration under this chapter:

- (1) Persons specifically invited to a residence by a competent individual prior to the time of the person's arrival at the residence;
- (2) A wholesaler or distributor selling articles to dealers or merchants who have an established place of business within the Town.
- (3) Persons soliciting in good faith for the benefit of any bona fide fraternal, educational, religious, or charitable organization such as Girl or Boy Scout programs, Little League, Rotary Club, Lions Club or like-minded local civic groups soliciting for the benefit of organizations that shall have otherwise been certified or otherwise been duly qualified as required by law or by any competent governmental body or agency unless there is a pending legal action or proceeding brought on behalf of the New York State Department of Consumer Affairs or the Putnam County Consumer Affairs Office against the organization;
- (4) Persons delivering goods to a residence pursuant to a previously made order, or persons providing services at a residence pursuant to a previously made request by a competent individual;
- (5) Persons advocating or disseminating information for, against, or in conjunction with, any religious belief or political position regardless of whether goods, services, or any other consideration is offered or given, with or without any form of commitment, contribution, donation, pledge, or purchase;
- (6) Students attending a public, private or parochial school within Putnam county soliciting contributions to finance extracurricular social, athletic, artistic, scientific or cultural programs, provided that the solicitation has been approved in writing by the school administration and filed with the Town, and that such student solicitors carry current picture student identification from the educational institution for which they are soliciting;
- (7) An honorably discharged veteran who holds a license granted pursuant to § 32 of the General Business Law.
- (8) Persons engaged in the sale of cosmetics or household goods within a residence, provided that such sales occur solely and exclusively within a residence by permission of the owner thereof;
- (9) A child (under 18 years old) regularly attending any public or private school within the County of Putnam;
- (10) Sales conducted pursuant to statute or Court order.

B. All persons and organizations that are exempted from the license requirements under this chapter shall maintain and keep records identifying all persons soliciting funds within the Town, and such records shall contain at least the name and the address of the person soliciting, the areas solicited and the date or dates of solicitation. Said records shall be made available for inspection by a law enforcement authority or other enforcement official investigating any solicitor or peddler.

§ 103-6 Registration of solicitors.

Unless otherwise exempt under this chapter, all persons desiring to engage in door-to-door solicitation within

the Town, prior to doing so, shall submit a completed application to the licensing officer and obtain a permit in accordance with § 103-10. Any false statement on any application shall be grounds for denial or revocation of the permit.

§ 103-7 Application form.

The licensing officer shall provide a standard application form for use for the registration of solicitors. Upon request to the licensing officer, or as otherwise provided, any person or entity may obtain in person, by mail, or facsimile, a copy of this application form. Each application form shall require disclosure and reporting by the applicant of the following information, documentation, and fee:

- A. Review of written disclosures. An affirmation that the applicant has received and reviewed the disclosure information is required by this chapter.
- B. Contact information.
 - (1) Applicant's true, correct and legal name, including any former names or aliases used during the last 10 years;
 - (2) Applicant's telephone number, home address and mailing address, if different;
 - (3) If different from the applicant, the name, address, and telephone number of the responsible person or entity;
 - (4) The address by which all notices to the applicant required under this chapter are to be sent;
 - (5) The name and address of the firm represented, if any; and
 - (6) The name and address of a person upon whom legal notice or process may be served.
- C. Proof of identity.
 - (1) An in-person verification by the licensing officer of the applicant's true identity by use of any of the following which bear a photograph of said applicant:
 - (a) A valid driver's license issued by any state;
 - (b) A valid passport issued by the United States;
 - (c) A student identification card provided by an educational institution;
 - (d) A valid identification card issued by any state; or
 - (e) A valid identification issued by a branch of the United States military.
 - (2) Upon verification of identity, the original identification submitted to establish proof of identity shall be returned to the applicant.
- D. Proof of registration. The applicant shall provide proof that either the applicant, or the responsible person

or entity, has registered with all required regulatory authorities.

- E. Sales tax number. The applicant shall provide a sales tax number for either the applicant, or for the responsible person or entity for which the applicant will be soliciting.
- F. Marketing information. The applicant shall provide the following:
 - (1) The goods or services offered by the applicant, including any commonly known, registered or trademarked names;
 - (2) Whether the applicant holds any other licenses, permits, registrations, or other qualifications required by federal or state law to promote, provide, or render advice regarding the offered goods or services;
 - (3) The length of time for which the permit is required;
 - (4) A description of the vehicle, including license number of the vehicle the applicant intends to use in the Town; and
 - (5) The location the applicant intends to sell goods, wares, services, or merchandise or solicit orders for the same.
- G. BCI background check/report. The applicant shall provide:
 - (1) An original or a copy of a BCI background check; and
 - (2) A signed copy of a waiver whereby applicant agrees to allow the Town to obtain a name/date of birth BCI background check on applicant for purposes of enforcement of this chapter.
- H. Responses to questions regarding "disqualifying status." The applicant shall be required to affirm or deny each of the following statements on the application form:
 - (1) Has the applicant been criminally convicted of:
 - (a) Felony homicide;
 - (b) Physically abusing, sexually abusing, or exploiting a minor;
 - (c) The sale or distribution of controlled substances;
 - (d) Sexual assault of any kind; or
 - (e) Criminal or unlawful possession or sale of a weapon or firearm?
 - (2) Are any criminal charges currently pending against the applicant for:
 - (a) Felony homicide;
 - (b) Physically abusing, sexually abusing, or exploiting a minor;

- (c) The sale or distribution of controlled substances;
 - (d) Sexual assault of any kind; or
 - (e) Criminal or unlawful possession or sale of a weapon or firearm?
- (3) Has the applicant been criminally convicted of a felony within the last 10 years?
 - (4) Has the applicant been incarcerated in a federal or state prison within the past five years?
 - (5) Has the applicant been criminally convicted of a misdemeanor within the past five years involving a crime of:
 - (a) Moral turpitude; or
 - (b) Violent or aggravated conduct involving persons or property?
 - (6) Has a final civil judgment been entered against the applicant within the last five years indicating that:
 - (a) The applicant had either engaged in fraud or intentional misrepresentation; or
 - (b) That a debt of the applicant was nondischargeable in bankruptcy pursuant to 11 U.S.C. § 523(a)(2), (a)(4), (a)(6) or (a)(19)?
 - (7) Is the applicant currently on parole or probation to any court, penal institution, or governmental entity, including being under house arrest or subject to a tracking device?
 - (8) Does the applicant have an outstanding arrest warrant from any jurisdiction?
 - (9) Is the applicant currently subject to a protective order based on physical or sexual abuse issued by a court of competent jurisdiction?
 - (10) If the applicant has been convicted of a crime, does the applicant have a certificate of good conduct or certificate of relief from disabilities?
- I. Fee. The applicant shall pay the applicable permit fee(s) as determined from time to time by resolution of the Town Board, which shall not exceed the reasonable cost of processing the application and issuing the permit and/or identification badge. Any person who presents a valid current license issued by the Putnam County Clerk pursuant to the provisions of the General Business Law of the State of New York shall be exempt from paying the fees required by the Town for the issuance of a permit under this chapter.
 - J. Execution of application. The applicant shall execute the application form, stating upon oath or affirmation, under penalty of perjury, that based on the present knowledge and belief of the applicant, the information provided is complete, truthful and accurate.

§ 103-8 Written disclosures.

The application form shall be accompanied by written disclosures notifying the applicant of the following:

- A. The applicant's submission of the application authorizes the Town to verify information submitted with the completed application including, but not limited to:
 - (1) The applicant's address;
 - (2) The applicant's and/or responsible person or entity's state tax identification and special use tax numbers, if any;
 - (3) The validity of the applicant's proof of identity.
- B. The Town may consult any publicly available sources for information on the applicant, including but not limited to databases for any outstanding warrants, protective orders, or civil judgments.
- C. Establishing proof of identity is required before registration is allowed.
- D. Identification of the fee amount that must be submitted by applicant with a completed application.
- E. The applicant must submit a BCI background check with a completed application.
- F. To the extent permitted by state and/or federal law, the applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection.
- G. If the applicant will be soliciting for home improvement services, the applicant must provide written proof that the provider of the home improvement services is currently registered with or licensed by the Department of Consumer Affairs of Putnam County.
- H. The Town will maintain copies of the applicant's application form, proof of identity, and identification badge. These copies will become public records available for inspection on demand at the Town offices whether or not a permit is denied, granted, or renewed.
- I. The criteria for disqualifying status, denial, or suspension of a permit under the provisions of this chapter.

§ 103-9 When registration begins.

The licensing officer shall not begin the registration process unless the applicant has submitted a completed application. The original identification submitted to establish proof of identity shall be returned after the licensing officer verifies the applicant's identity. A copy of the identification may be retained by the licensing officer. If an original BCI background check is submitted by the applicant, the licensing officer shall make a copy of the BCI and return the original to the applicant.

§ 103-10 Registration and issuance of permits.

The licensing officer shall review the completed application submitted by the applicant and issue a permit in accordance with the following: If deemed eligible, the licensing officer may issue only one permit per applicant for a term of one week, two months or six months. The term of the permit shall automatically expire unless renewed in accordance with § 103-10C.

- A. A permit may be issued upon satisfaction of the following conditions:

- (1) Applicant's submission of a completed application;
- (2) Applicant's submission of the required fee;
- (3) Applicant establishes proof of identity;
- (4) The applicant's representations on the application form do not affirmatively show a disqualifying status;
- (5) The BCI report does not affirmatively show a disqualifying status; and
- (6) The applicant has not previously been denied a permit by the Town or had a permit revoked for grounds that still constitute a disqualifying status under this chapter.

B. Within five calendar days of the date the applicant has submitted a completed application the Town shall:

- (1) Take any and all actions it deems appropriate to verify the truthfulness and completeness of the information submitted by the applicant, including but not limited to any actions disclosed with the application form.
- (2) Issue written notice to the applicant and the responsible person or entity, if any, that the application:
 - (a) Is approved;
 - (b) Is incomplete; or
 - (c) Is denied.

C. **Renewal permit.** A permit that is not suspended, revoked, or expired may be renewed prior to the expiration of the term upon the request of the registered solicitor and the submission of a renewal application and payment of the appropriate fee. The renewal period shall be for the same term unless the applicant pays the appropriate permit fee for a permit with a longer term. In no event shall a permit be renewed for more than two terms.

§ 103-11 Bonding requirements.

- A. Prior to the issuance of any permit, the applicant shall file with the Town Clerk either a bond running to the Town in the amount of \$1,000, with good and sufficient surety, in such form to be approved by the Town Attorney; or the amount of \$1,000 to be held in escrow by the Town Clerk. Said bond or amount shall remain in escrow for the term of the permit and shall be conditioned to indemnify and pay the Town for any penalties or costs incurred in the enforcement of any of the provisions of this chapter.
- B. The aforesaid bond shall be declared forfeited upon proof of:
 - (1) Falsification in the application for a permit.
 - (2) Violation of any of the provisions of this chapter by the applicant or his agents, servants, or employees.
- C. The Town Board may, by resolution, exempt persons from the bond and fee requirements, provided that the applicant satisfies the Board that the nature of his activity does not jeopardize the position of the Town

or the protection given herein to the residents.

§ 103-12 Form of permit and identification badge.

- A. Permit form. Should the licensing officer determine that the applicant is entitled to a permit, the licensing officer shall issue a permit to the applicant. The permit shall list the name of the registered solicitor or vendor and the responsible person or entity, if any, and the date on which the permit expires. The permit shall be dated and signed by the license officer. The permit shall be carried by the registered solicitor or vendor at all times while soliciting in the Town.
- B. Identification badge. The Town shall issue each registered solicitor or vendor an identification badge that shall be worn prominently on his or her person while soliciting in the Town. The identification badge shall contain:
 - (1) The name of the registered solicitor / vendor;
 - (2) Address and phone number of the registered solicitor, or the name, address, and phone number of the responsible person or entity is provided;
 - (3) A recent photograph of the registered solicitor; and
 - (4) The date on which the permit expires.

§ 103-13 Maintenance of registry.

The licensing officer shall maintain and make available for public inspection a copy or record of every completed application received, the date of approval or denial issued by the Town, including the date of issuance and expiration of any permit and the date of revocations of all permits revoked. The applicant's BCI background check shall remain a confidential, protected, private record not available for public inspection. The licensing officer may furnish to the head of the law enforcement agencies with jurisdiction in the Town a listing of all applicants, those denied, and those issued a permit.

§ 103-14 Nontransferability of permits.

Permits shall be issued only in the name of the applicant and shall list the responsible party or entity, if any. The permit shall be nontransferable. A registered solicitor desiring to facilitate or attempt to facilitate home solicitation sales with different: (A) goods or services; or (B) responsible person or entity, from those designated in the originally submitted completed application, shall submit a written change request to the licensing officer. A new permit based on the amended information may be issued for the balance of time remaining on the solicitor's previous permit before the amendment was filed. Before the new permit is approved, the registered solicitor shall obtain a revised identification badge from the Town, after payment of the fee for the identification badge. In the event that the applicant has employees or agents working with or for the applicant, a separate application must be filed for each employee or agent. The permit fee for each additional permit shall be 25% of the permit fee set forth by the Town Board.

§ 103-15 Denial, suspension, or revocation of a permit.

- A. Denial. Upon review, the licensing officer shall refuse to issue a permit or a renewal application to an applicant for any of the following reasons:

- (1) The application form is incomplete or incorrect;
 - (2) The applicant fails to establish proof of identity, provide a BCI, or pay the required fees;
 - (3) The completed application or BCI indicates that the applicant has a disqualifying status; or
 - (4) The applicant has previously been denied a permit by the Town, or has had a permit revoked for grounds that still constitute a disqualifying status under this chapter;
 - (5) Since the submission of the completed application, the applicant is subject to a previously undisclosed or unknown disqualifying status;
- B. Suspension or revocation. The Town may either suspend or revoke a permit when any of the reasons warranting the denial of a permit as set forth in § 103-15A occurs and/or for any violation of this chapter.
- C. Notice of denial or suspension. Upon determination of the licensing officer to deny an applicant's completed application or to suspend a registered solicitor's permit, the Town shall cause written notice to be sent to the applicant or registered solicitor by the method indicated in the completed application. The notice shall specify the grounds for the denial or suspension, the documentation or information the Town relied on to make the decision, the availability of the documentation for review by applicant upon three business days' notice to the Town, and the date upon which the denial or suspension of the permit shall take effect. It shall further state that the applicant or registered solicitor shall have 10 business days from the receipt of the notice of denial or suspension to appeal the same. The denial or suspension of the permit shall be effective no sooner than three calendar days from the date the notice is sent, unless that suspension is because of exigent circumstances, in which case, the suspension is effective immediately. The denial or suspension shall remain effective unless and until the order is rescinded, overturned on appeal, or determined by a court to be contrary to equity or law. Failure to appeal the suspension of a permit automatically results in its revocation.
- D. Notwithstanding the foregoing, if an applicant has been convicted of a crime, but has obtained a certificate of good conduct or certificate of relief, the applicant may be approved for a permit if the applicant is approved by a super majority vote of the Town Board.

§ 103-16 Appeals.

An applicant or registered solicitor whose permit has been denied or suspended shall have the right to appeal to the Town Board or its designee. Any appeal must be submitted by either the applicant, the responsible person or entity, or legal counsel for either who: (A) documents the relationship with the applicant or responsible person or entity; or (B) is licensed or authorized by the State of New York to do so, and makes the assertion of an agency relationship. The following procedures and requirements shall apply:

- A. Any appeal must be submitted in writing to the Town Clerk with a copy to the license officer, if other than the Town Clerk, within 10 business days of the decision from which the appeal is taken. Such appeal shall describe in detail the nature of the appeal, the action complained of and the grounds for appeal.
- B. Upon request of the applicant or registered solicitor, within one business day, the Town will make available any information upon which it relied in making the determination to either deny or suspend the permit.

- C. The appeals officer shall review, de novo, all written information submitted by the applicant or registered solicitor to the licensing officer, any additional information relied upon by the licensing officer as the basis for denial, suspension or revocation, and any additional information supplied by the Town, applicant or registered solicitor. Any additional information submitted by any party to the appeal to the appeals officer shall be simultaneously submitted to the opposing party. If desired, any party shall have three business days to submit rebuttal documentation to the appeals officer regarding the additional information submitted by the opposing party.
- D. The appeals officer will render a decision no later than 15 calendar days from the date the appeal was taken, unless an extension of time is agreed upon by the parties. In the event that any party to the appeal submits rebuttal information as allowed in Subsection C of this section, the 15 calendar days shall be extended to include the additional three days for rebuttal.
 - (1) The denial or suspension of the permit shall be reversed by the appeals officer if upon review of the written appeal and information submitted, the appeals officer finds that the licensing officer made a material mistake of law or fact in denying or suspending the applicant or registered solicitor's permit.
 - (2) If the written appeal and information submitted indicates that the licensing officer properly denied or suspended the permit of the applicant or registered solicitor, the denial or suspension of the permit shall be affirmed and constitute a determination that the suspended permit is revoked.
 - (3) The decision of the appeals officer shall be delivered to the applicant or registered solicitor by the means designated in the completed application, or as otherwise agreed upon when the appeal was filed.
- E. After the ruling of the appeals officer, the applicant or solicitor is deemed to have exhausted all administrative remedies with the Town.
- F. Nothing herein shall impede or interfere with the applicant's, solicitor's, or Town's right to seek relief in a court of competent jurisdiction.

§ 103-17 Deceptive soliciting practices prohibited.

- A. No solicitor shall intentionally make any materially false, fraudulent, or otherwise misleading statement in the course of soliciting.
- B. A solicitor shall immediately disclose to the consumer during face-to-face solicitation (1) the name of the solicitor; (2) the name and address of the entity with whom the solicitor is associated; and (3) the purpose of the solicitor's contact with the person and/or competent individual. This requirement may be satisfied through the use of the badge and an informational flyer.
- C. No solicitor shall use a fictitious name, an alias, or any name other than his or her true and correct name.
- D. No solicitor shall represent directly or by implication that the granting of a permit implies any endorsement by the Town of the solicitor's goods or services or of the individual solicitor.
- E. The provisions of this section shall apply also to solicitors who are exempt from registration pursuant to the provisions of this chapter.

§ 103-18 No soliciting notice.

- A. Any occupant of a residence may give notice of a desire to refuse solicitors by displaying a "No Solicitation" sign which shall be posted on or near the main entrance door or on or near the property line adjacent to the sidewalk or driveway leading to the residence.
- B. The display of such sign or placard shall be deemed to constitute notice to any solicitor that the inhabitant of the residence does not desire to receive and/or does not invite solicitors.
- C. It shall be the responsibility of the solicitor to check each residence for the presence of any such notice.
- D. The provisions of this section shall apply also to solicitors who are exempt from registration pursuant to the provisions of this chapter.

§ 103-19 Duties of solicitors.

- A. Every person soliciting or advocating shall check each residence for any "No Soliciting" sign or placard or any other notice or sign notifying a solicitor not to solicit on the premises, such as, but not limited to, "No Solicitation" signs. If such sign or placard is posted such solicitor shall desist from any efforts to solicit at the residence or dwelling and shall immediately depart from such property. Possession of a permit does not in any way relieve any solicitor of this duty.
- B. It is a violation of this chapter for any person soliciting or advocating to knock on the door, ring the doorbell, or in any other manner attempt to attract the attention of an occupant of a residence that bears a "No Solicitation" sign or similar sign or placard for the purpose of engaging in or attempting to engage in advocating, a home solicitation sale, door-to-door soliciting, or soliciting.
- C. It is a violation of this chapter for any solicitor through ruse, deception, or fraudulent concealment of a purpose to solicit to take action calculated to secure an audience with an occupant at a residence.
- D. Any solicitor who is at any time asked by an occupant of a residence or dwelling to leave shall immediately and peacefully depart.
- E. The solicitor shall not intentionally or recklessly make any physical contact with or touch another person without the person's consent;
- F. The solicitor shall not follow a person into a residence without their explicit consent;
- G. The solicitor shall not continue repeated soliciting after a person and/or competent individual has communicated clearly and unequivocally their lack of interest in the subject, goods or services of the solicitor;
- H. The solicitor shall not use obscene language or gestures.
- I. The solicitor shall not solicit for home improvement businesses unless such business or vendor is duly licensed and in good standing with the Putnam County Department of Consumer Affairs.

§ 103-20 Buyer's right to cancel.

In addition to the provisions of § 427 of the New York State Personal Property Law, in any home solicitation sale, unless the buyer requests the solicitor in writing to provide goods or services without delay, the seller or solicitor shall present to the buyer and obtain buyer's signature to a written statement which informs the buyer of the right to cancel within 10 business days after signing an agreement to purchase. Such notice of "Buyer's right to cancel" shall be in the form required by the Town and shall be in addition to the protections set forth in § 428 of the New York State Personal Property Law.

§ 103-21 Penalties.

Any person who violates any term or provision of this chapter shall be guilty of a violation and upon conviction shall be punished by a minimum fine of \$500 to a maximum fine of \$1,000 for the first offense; a minimum fine of \$1,000 to a maximum fine of \$2,500 for a conviction for a second offense within two years of a prior conviction; and a minimum fine of \$2,500 to a maximum fine of \$5,000 for a conviction for a third offense within two years of a prior conviction, and/or a jail sentence of not to exceed 15 days. Each day such violations continues shall constitute a separate and distinct offense punishable based upon the foregoing.

§ 103-22 Enforcement.

- A. Any Police Department with jurisdiction in the Town of Southeast and/or the Town Code Enforcement officer or other enforcement official as may be designated by the Town Board, is charged with enforcing the provisions of this chapter and shall have the power, right and authority to issue an appearance ticket, as the same is defined in Article 150 of the Criminal Procedure Law of the State of New York, for the violation of any section of this chapter.
- B. Any persons claiming to be aggrieved by an alleged unlawful practice forbidden by this chapter may, in his or her sole capacity or through an attorney at law, make, sign and file a complaint directly with a Police Department having jurisdiction, or with the Town Clerk, who shall forward the complaint to an appropriate authority for investigation.

Article II

Food Trucks

§ 103-23 Legislative findings.

Notwithstanding the provisions contained in Article I of this chapter regulating soliciting, vending and peddling within the Town or it is hereby found and determined that a limited number of permits for mobile food vendors or "food trucks" should be allowed to provide the residents and visitors to the Town additional options for dining and the purchase of edible commodities. It is further found and determined that, in an effort to protect the health, safety and welfare of the residents and the consuming public, the operation of food trucks should be limited to a relatively small number and such permits should be granted on a periodic basis and that the operation of such vendors should be further regulated to ensure adequate location, accommodation and safe operation.

§ 103-24 Definitions.

As used in this article, the following terms shall have the meanings indicated:

APPLICATION

The form and supporting information or documentation prescribed by the Town Board seeking the

issuance of a food truck permit.

FOOD TRUCK

A vehicle from which food for human consumption is sold or dispensed. Such vehicle may be self-propelled or towed by another vehicle.

FOOD TRUCK PERMIT

The permit or license issued by the Town Clerk which shall be proof that a particular food truck has met the qualification requirements and that the location endorsed thereon has been approved by the Town for the purpose stated therein.

FOOD TRUCK PERMIT, SECONDARY

A second permit which may be issued to an existing food truck permit holder which would allow such permit holder to locate his or her food truck at a secondary location on municipally owned property.

LOCATION

The particular physical site, approved by the Town Code Enforcement Officer, where the food truck shall be parked and operated during permitted hours.

VETERAN

Any veteran of the United States military service or coast guard who has been discharged from service for other than cause. Any veteran applicant shall submit a copy of his or her Form DD-214 as part of the application package.

§ 103-25 Permit; fees.

- A. Except as otherwise provided herein, the Town Clerk shall issue no more than seven food truck permits in any calendar year. There shall be no limit on the number of annual permits issued to qualifying veterans. No more than one permit shall be issued to any individual or qualifying business entity.
- B. Such permit shall be issued to an applicant who has completed the requisite application on the prescribed form provided by the Town Clerk, paid the requisite fee(s) and provided such additional information as may be required in the application, including, but not limited to, proof of general liability insurance with limits of liability not less than \$1,000,000 per occurrence; current vehicular registration, inspection and insurance; proof of permission to locate the food truck at the particular location; and, in the case of prepared food sales, a current food vendor's permit issued by the Putnam County Department of Health. The Town of Southeast shall be listed as an additional insured on the policy of general liability insurance.
- C. Permits shall be issued on a calendar year basis running from January 1 to December 31. Applications for such permits shall be available to residents or established businesses located within the Town of Southeast from November 1 through November 30 of each year for the following year. From December 1 on, applications, to the extent permits are still available, shall be accepted from nonresidents.
- D. The annual fee for a food truck permit shall be set by the Town Board and included in the annual fee schedule adopted by the Town Board, as the same may be amended from time to time. Any permit issued

after July 1 shall be 1/2 of the annual permit fee and shall run for the balance of the calendar year. Any permit issued to a veteran shall be exempt from the payment of the annual fee. To be exempt from the payment of the requisite permit fee, such veteran shall actually be engaged in the operation of the food truck and shall be present at the location at all times the food truck is in operation.

- E. Food truck permit holders and any employee(s) shall be issued a photographic identification card by the Town of Southeast. Such identification shall be maintained on the person of the permit holder and employee at all times that the food truck is in operation and shall be open to the inspection by the Town Code Enforcement Officer.
- F. Secondary permits shall be made available to existing food truck permit holders who wish to provide food vending services on municipally owned properties on a monthly, weekly or daily basis. Such secondary permits shall only be issued to existing food truck permit holders. The fee for such secondary permit shall be set forth in the annual fee schedule, as the same may be amended from time to time.
- G. Notwithstanding the foregoing, any licensed or permitted food truck shall be allowed to operate on private property within the Town at a specific function and at the specific request by such private property owner for the purpose of catering or providing food service for such special function.

§ 103-26 Location.

- A. Except as otherwise provided for herein, a food truck permit shall allow the holder thereof to conduct the business vending food from a specific, stationary location. Such location shall be on private property or within or on a public thoroughfare or right-of-way. No vending or soliciting of food sales shall occur by the permittee at any location within the Town other than that which is declared on the permit.
- B. A permitted location shall be within a commercially zoned area and shall be subject to the prior approval of the Town Code Enforcement Officer to ensure that such location is safe for use by both vehicles and pedestrians.
- C. An applicant for a food truck permit shall provide proof, in writing, signed by the owner of the particular location that the applicant has permission to park or locate the food truck at that particular location. Such documentation shall be signed and acknowledged before a notary public; provided, however, that with respect to state, county or other municipal thoroughfares, honorably discharged veterans who possess a current license issued pursuant to New York State General Business Law § 32 to hawk, peddle, vend and sell goods, wares or merchandise, or solicit trade upon the streets and highways within Putnam County, no such documentation or written authorization to locate within or along such thoroughfares shall be required. Notwithstanding the foregoing, the holder of such General Business Law § 32 permit shall be required to apply for and obtain a food vendor permit under this chapter and to abide by all restrictions and regulations provided herein.
- D. A permitted location shall have an improved parking area and shall have not less than two parking spaces available for patron use. Such parking spaces must be in addition to any parking spaces that are committed

to other uses and/or occupancies that are served by the site as specified in the Town's zoning regulations or as set forth on any current site plan for the location.

- E. A permitted location shall not be closer than 500 feet to any existing restaurant, delicatessen, fast food establishment, or other food service establishment.
- F. There shall be no outdoor seating or other accommodation for on-site consumption of food or other vended products. The food truck permit holder shall provide adequate refuse receptacles for patron use and shall provide that refuse deposited therein is removed from the permitted location on a daily basis.

§ 103-27 Hours of operation.

- A. Food trucks may be operated during the hours of 5:00 a.m. through 9:00 p.m. on any given day.
- B. Food trucks shall be removed from the permitted location within one hour after closing and shall not be returned to the permitted location more than one hour before the permitted opening time on any given day. There shall be no overnight parking of food trucks at any permitted location.

§ 103-28 Penalties for offenses; revocation.

- A. Any person who violates any provision of this article shall be guilty of an offense and upon conviction thereof shall be subject to a fine of not less than \$500.00 nor more than \$1,000.00 for each violation, or by imprisonment not exceeding 15 days, or both such fine and imprisonment.
- B. Conviction of three violations of any provision of this article shall result in the immediate revocation of the food truck permit.

Town of Southeast
Accounting Department
1360 Route 22
Brewster, NY 10509

R #3

Town Accountant
Ronald Hund

Tel. (845) 279-7338

Account Clerk
Helena Hansen

Fax. (845) 279-3664

rhund@southeast-ny.gov
hhansen@southeast-ny.gov

MEMO TO: Tony Hay

FROM: Ron Hund RH

DATE: September 14, 2020

RE: Budget Transfers

Attached are the budget transfers that must be put on the agenda for approval at the Town Board meeting on September 17, 2020.

CC. Town Board
Town Clerk

BUDGET TRANSFER and APPROPRIATION INCREASE REQUEST					
To: Budget Officer Town Board					Date: 9/26/2019
Prepared By:	Town Accountant				
From Account Code	Description	Amount	To Account Code	Description	Amount
GENERAL FUND - A A000-1110-412-000	Justice Computer Services	220.00	A000-1110-411-000	Justice Professional/Technical Services <i>Stenography Services</i>	220.00
A000-1355-424-000	Assessor Vehicle Maintenance/Repairs	425.00	A000-1355-460-000	Assessor Telephone <i>Telephone</i>	425.00
A000-1410-405-000	Town Clerk Conference/Seminar/Training	963.00	A000-1410-201-000	Town Clerk Computer/Printer Hardware <i>Laptop, Computer</i>	813.00
			A000-1410-412-000	Town Clerk Computer Services <i>Computer Services</i>	150.00
A000-1610-424-000	Special Districts Vehicle Maintenance/Repair	1,049.00	A000-1610-401-000	Special Districts Supplies/Material <i>Supplies</i>	1,049.00
A000-1620-401-000	Facilities Maintenance Supplies/Material	156.00	A000-1620-404-000	Facilities Maintenance Boots/Uniforms <i>T-shirts, Sweatshirts</i>	156.00
A000-1989-400-000	Contingency	6,121.00	A000-5010-401-000	Superintendent of Highways Supplies/Material <i>Supplies</i>	2,000.00
			A000-5010-411-000	Superintendent of Highways Professional/Technical Services <i>Highway Men's Bathroom Repair</i>	4,121.00
A000-5010-202-000	Superintendent of Highways Computer Software	10,866.00	A000-5010-417-000	Superintendent of Highways Building Maintenance/Repair <i>Fuel Tank Monitoring Upgrade</i>	10,866.00
A000-7180-401-000	Tonetta Lake Supplies/Materials	7,500.00	A000-7180-100-000	Tonetta Lake Personal Services <i>Personal Services</i>	7,500.00
A000-7180-411-000	Tonetta Lake Professional/Technical Services	784.00	A000-7180-100-000	Tonetta Lake Personal Services <i>Personal Services</i>	694.00
			A000-7270-411-000	Electrazone Field Professional/Technical Services <i>Land Use Permit</i>	90.00
GENERAL FUND OUTSIDE VILLAGE FUND - B B000-8020-411-000	Planning Board Professional/Technical Services	323.00	B000-8020-204-000	Planning Furniture <i>Computer Desk</i>	323.00

BUDGET TRANSFER and APPROPRIATION INCREASE REQUEST						
To: Budget Officer Town Board						Date: 9/26/2019
Prepared By:	Town Accountant					
From Account Code	Description	Amount	To Account Code	Description	Amount	
HIGHWAY TOWNWIDE - DA DA00-5130-424-000	Machinery Vehicle Maintenance/Repair	8,661.00	DA00-5130-209-000	Machinery Vehicle	5,895.00	
				Truck		
			DA00-5130-407-000	Machinery Lease/Rent	485.00	
				Pressure Washer Rental		
			DA00-5130-411-000	Machinery Professional/Technical Services	2,281.00	
				Paint Truck		
DA00-5140-411-000	Misc. Brush & Weeds Professional/Technical Services	488.00	DA00-5140-401-000	Misc. Brush & Weeds Supplies/Material	488.00	
				Supplies		
BLACKBERRY PARK SP SP00-7140-411-000	Playground Professional Technical/Services	1,296.00	SP00-7180-411-000	Blackberry Pool Professional/Technical Services	1,296.00	
				Pool Repair		
RESIDENTIAL REFUSE - SR SR00-8160-411-000	Refuse and Garbage Professional/Technical Services	1,204.00	SR00-8160-401-000	Refuse and Garbage Supplies/Material	1,204.00	
				E- Waste Shed		
BLACKBERRY SEWER SS1 SS01-8130-422-000	Sewage Treatment & Disposal Equipment Lease/Maintenance	27,435.00	SS01-8120-422-000	Sanitary Sewer Equipment Lease/Maintenance	6,571.00	
				Equipment		
			SS01-8130-210-000	Sewage Treatment & Disposal Other Equipment	20,864.00	
				Equipment		
BREWSTER HEIGHTS SEWER SS2 SS02-8130-411-000	Sewage Treatment & Disposal Professional/Technical Services	8,731.00	SS02-8110-411-000	Sewer Administration Professional/Technical Services	5,611.00	
				Repairs		
			SS02-8120-422-000	Sanitary Sewer Equipment Lease/Maintenance	3,120.00	
				Equipment		
SS02-8130-417-000	Sewage Treatment and Disposal Building Maintenance/Repair	2,000.00	SS01-8130-401-000	Sewage Treatment and Disposal Supplies/Material	2,000.00	
				Supplies		

BUDGET TRANSFER and APPROPRIATION INCREASE REQUEST					
To: Budget Officer Town Board					Date: 9/26/2019
Prepared By:	Town Accountant				
From Account Code	Description	Amount	To Account Code	Description	Amount
SOUTHEAST TRAIN PARKING ST ST00-5650-401-000	Off-Street Parking Supplies/Material	500.00	ST00-5650-402-000	Off-Street Parking Postage	500.00
BREWSTER HEIGHTS WATER SW1 SW02-8320-210-000	Source of Supply, Power, Pumping Equipment	10,051.00	SW01-8320-401-000	Source of Supply, Power, Pumping Supplies/Material	672.00
			SW01-8320-411-000	Source of Supply, Power, Pumping Professional/Technical Services	4,130.00
			SW01-8320-425-000	Source of Supply, Power, Pumping Water Charges	5,249.00
MOUNTAIN BROOK WATER - SW4 SW04-8320-411-000	Source of Supply, Power, Pumping Professional/Technical Services	1,220.00	SW04-8310-411-000	Water Administration Professional/Technical Services	1,220.00
BLACKBERRY WATER - SW6 SW05-8340-411-000	Transmission & Distribution Professional/Technical Services	6,109.00	SW05-8310-411-000	Water Administration Professional/Technical Services	5,321.00
			SW05-8320-401-000	Source of Supply, Power, Pumping Supplies/Material	14.00
			SW05-8320-411-000	Source of Supply, Power, Pumping Professional/Technical Services	774.00
BIRCH HILL WATER - SW9 SW09-9961-900-000	Transfer To Debt Service Fund	564.00	SW09-8320-411-000	Source of Supply, Power, Pumping Professional/Technical Services	564.00

2020 Contingency Report

Beginning Balance 1/1/20

\$ 50,000.00

Subtotal Contingency

\$ 50,000.00

Deductions:

R	Fiscal Agent Town Financial Advisor
---	-------------------------------------

(2,500.00)

R	Central Storeroom Supplies
---	----------------------------

(500.00)

R	Highway Superintendant Garage Roof Repair
---	---

(5,761.00)

R	Town Board Meeting Security
---	-----------------------------

(600.00)

R	Assessor Furniture
---	--------------------

(1,761.00)

R	Highway Superintendant Garage Roof Repair
---	---

(13,920.00)

R	Highway Garage Oil Tank Repair
---	--------------------------------

(921.00)

R	Highway Garage Bathroom Repairs
---	---------------------------------

(5,622.00)

R	Assessor Furniture
---	--------------------

(500.00)

R	Central Commnication COVID Supplies
---	-------------------------------------

(2,183.00)

(34,268.00)

Total

\$ 15,732.00

Proposed Deductions:

A	Highway Superintendent Supplies/Material
---	--

(2,000.00)

A	Highway Superintendent Vacuum Truck Rental
---	--

(4,121.00)

(6,121.00)

Pending Balance 12/31/20

\$ 9,611.00

Note:

R = resolution

A = proposed budgetary amendment

2020 Sub-Contingency Report

Beginning Balance 1/1/20

\$ 50,000.00

Subtotal Sub-Contingency

\$ 50,000.00

Deductions:

R Tonettal Lake Personal Services

(10,000.00)

R Unemployment Insurance General Fund A

(11,978.00)

(21,978.00)

Total

\$ 28,022.00

Proposed Deductions:

A Tonettal Lake Personal Services

(10,000.00)

A Unemployment Insurance General Fund A

(11,978.00)

(21,978.00)

Pending Balance 12/31/20

\$ 6,044.00

Note:

R = resolution

A = proposed budgetary amendment

R#5

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**BOARD OF ASSESSMENT REVIEW
APPOINTMENT OF STEPHEN P. MOORE – FULL TERM**

RESOLUTION NO. _____ / 2020

DATE: September 17, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board is in receipt of a recommendation from the BAR and Assessor in support of the appointment of Stephen P. Moore, Esq. to serve as a member of the Board of Assessment Review; and

WHEREAS, it has been found and determined that Mr. Moore is a resident of the Town of Southeast and a duly qualified elector thereof.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast hereby appoints

STEPHEN P. MOORE

to the Town of Southeast Board of Assessment Review, such term to commence October 1, 2020 and expire September 30, 2025; and be it further

RESOLVED, that this appointment shall take effect upon the taking and filing of the appropriate oath of office with the Clerk of the Town of Southeast.

Upon Roll Call Vote:

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 17th day of September, 2020.

MICHELE STANCATI
Town Clerk

R#6

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**COJAX CONSTRUCTION LLC
SETTLEMENT OF CERTIORARI PROCEEDINGS**

RESOLUTION NO. _____ / 2020

DATE: September 17, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, proceedings have been commenced by Cojax Construction LLC in NYS Supreme Court challenging the assessed valuation of commercial premises known generally as Tax Map No. 57.-2-29 for the 2020 tax roll; and

WHEREAS, the Town Board is in receipt of settlement recommendations from the Town's Assessor, Appraiser and Town Attorney with regard to such proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Southeast does hereby accept the recommendations of its professional advisors and authorizes the Town Attorney to execute a Stipulation of Settlement, Consent Judgment and/or Order on Consent in accordance with said recommendations for the following:

<u>Petitioner</u>	<u>Tax ID</u>	<u>Year</u>	<u>Assessment</u>	<u>Settled Assessment</u>
Cojax Construction	57.-2-29	2020	\$2,040,000	\$2,000,000

And be it further **RESOLVED**, that the Town Attorney is hereby authorized and directed to execute any and all stipulations, consent orders or other documents necessary to reflect the foregoing settlements.

UPON A ROLL CALL VOTE:

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 17th day of September, 2020.

MICHELE STANCATI
Town Clerk

R#7

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL
GOVERNMENT RECORDS**

RESOLUTION NO. _____ / 2020

September 17, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Clerk of the Town of Southeast serves as the Town's Records Retention Officer; and

WHEREAS, the continuity of government and the preservation of the Town's history depends on the thoughtful and deliberate process of retaining or preserving documents deemed necessary for this purpose; and

WHEREAS, the State of New York Arts and Cultural Affairs Law gives guidance and direction to the public records officers aimed at facilitating the process of records retention and disposal of records deemed unessential.

NOW, THEREFORE, BE IT

RESOLVED, by the Town of Southeast Town Board, that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all offices in legally disposing of valueless records listed therein; and be it further

RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

UPON A ROLL CALL VOTE:

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

VOTE: Resolution passed, by a vote of _____, to _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 17th day of September, 2020.

MICHELE STANCATI
Town Clerk

R#8

**TOWN BOARD
TOWN OF SOUTHEAST**

**AUTHORIZING SUPERVISOR TO
EXECUTE LICENSE AGREEMENT WITH
ALGONQUIN GAS TRANSMISSION LLC**

RESOLUTION NO. _____ / 2020

DATE: September 17, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, Algonquin Gas Transmission LLC (“Algonquin”) is in the process of maintaining, improving and upgrading its natural gas pipeline and facilities which traverse the Town of Southeast (the “Pipeline”); and

WHEREAS, Algonquin has approached the Town of Southeast seeking to enter into a license or permit arrangement wherein and whereby Algonquin will use portions of the Town’s former landfill located at Lower Mine Road (the “Subject Premises”) as a “staging” area for construction activities associated with the repair and maintenance of the pipeline, most of which will occur on Algonquin property; and

WHEREAS, the Town of Southeast acknowledges that there is a need to work cooperatively with all levels of government and its public utilities and to utilize every means available to provide the maximum services in the most cost-effective manner and at the least possible cost to the taxpayers; and

WHEREAS, the Town owns facilities and properties which are under-utilized; and

WHEREAS, the Town Board has analyzed the proposal of Algonquin, determined that the granting of the license for to use the Subject Premises as a staging area is a Type II action pursuant to SEQRA and will not likely to cause any negative impact to the environment.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor is hereby authorized to execute a revocable license agreement with Algonquin, wherein and whereby Algonquin will use and utilize a portion of the former municipal landfill on Lower Mine Road as and for a staging area for the construction and improvement of portions of the Algonquin Natural Gas Pipeline in form and substance approved by the Town Attorney; and be it further; and

RESOLVED, that all actions heretofore taken by the Supervisor in connection with this initiative are hereby ratified, confirmed and approved *nunc pro tunc*; and be it further

RESOLVED, that this Resolution shall take effect immediately.

UPON A ROLL CALL VOTE:

Councilman Alvarez	_____
Councilman Larca	_____
Councilman Lord	_____
Councilman O'Connor	_____
Supervisor Hay	_____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
) SS.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held on the 17th day of September, 2020.

Michele Stancati, Town Clerk

R#9

**TOWN BOARD
TOWN OF SOUTHEAST, NEW YORK**

**EXTEND REFUSE COLLECTION
AND REMOVAL CONTRACT**

RESOLUTION NO. _____ /2020

DATE: September 17, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town – Refuse Removal District No. 1 and Suburban Carting Co. entered into a contract dated November 1, 2016 for the removal of refuse from residential properties within the Town (the “Contract”) and the initial term of that Contract was due to expire December 31, 2019; and

WHEREAS, the Contract, by its terms, allows extensions of the contract for successive two (2) year periods if the parties agree.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all contracts, agreements or extensions as may be necessary to extend the Contract with Suburban Carting Co. for Residential Refuse Removal for a period of two years ending on December 31, 2021; and be it further

RESOLVED, that all actions heretofore taken by the Supervisor in furtherance of this Resolution are hereby approved, ratified and confirmed *nunc pro tunc*.

Upon Roll Call Vote:

Councilman Alvarez _____

Councilman Larca _____

Councilman Lord _____

Councilman O'Connor _____

Supervisor Hay _____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 17th day of September, 2020.

MICHELE STANCATI
Town Clerk

R#10

**TOWN BOARD
TOWN OF SOUTHEAST**

**HOME DEPOT
80 INDEPENDENT WAY
ARCHITECTURAL REVIEW BOARD**

RESOLUTION NO. _____ / 2020

Date: September 17, 2020

INTRODUCED BY: _____

SECONDED BY: _____

WHEREAS, the Town Board is in receipt of a Report of the Architectural Review Board ("ARB") of the Town Southeast dated July 29, 2020 in connection with the application of Home Depot, which seeks amended site plan approval located at 80 Independent Way, Tax Map ID 56.-1-23-.1 including expansion of outdoor storage, shed display and mulch storage and outdoor garden center sales; and

WHEREAS, the Report concludes that the ARB positively recommends the project to the Town Board as proposed; and

WHEREAS, the Town Board finds that there is no reason to upset the findings and recommendation of the Architectural Review Board in connection with the instant application,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the Report of the Architectural Review Board dated July 29, 2020 in connection with the application of HOME DEPOT, which seeks amended site plan approval for an existing commercial / retail facility located at 80 Independent Way, Tax Map ID 56.-1-23-.1 including expanding outdoor storage to include a shed display area, outdoor storage of mulch and outdoor garden center sales (a copy of the ARB Review and Report is annexed hereto and made part hereof) and that such Report shall be incorporated in any final Site Plan subsequently reviewed and approved for this project by the Planning Board.

UPON ROLL CALL VOTE:

Councilman Alvarez _____
Councilman Larca _____
Councilman Lord _____
Councilman O'Connor _____
Supervisor Hay _____

VOTE: carried / defeated by a vote of _____ in favor, _____ against; _____ abstained.

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK)
 : ss.:
COUNTY OF PUTNAM)

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 17th day of September, 2020.

MICHELE STANCATI
Town Clerk

	B	C	D	E	F	G	H				
Revenues 2020	ADJUSTED BUDGET	YTD 8/31/2020	YTD BUDGET BALANCE	ADJUSTED BUDGET/7*12	COLUMN C MINUS COLUMN E	8/12*100	PERCENT USED		YTD 8/31/2020	YTD 8/31/2019	DIFFERENCE
Cable Fees	\$ 315,000	\$ 252,557	\$ (62,443)	\$ 210,000	\$ 42,557	66.67%	80.18%		\$ 252,557	\$ 259,607	\$ (7,050)
Court Fines & Forfeitures	\$ 310,000	\$ 270,276	\$ (39,724)	\$ 206,667	\$ 63,609	66.67%	87.19%		\$ 270,276	\$ 295,224	\$ (24,948)
Departmental Revenue	\$ 159,915	\$ 157,288	\$ (2,627)	\$ 106,610	\$ 50,678	66.67%	98.36%		\$ 157,288	\$ 147,567	\$ 9,721
Alarm Fees	\$ 20,000	\$ 13,450	\$ (6,550)	\$ 13,333	\$ 117	66.67%	67.25%		\$ 13,450	\$ 12,625	\$ 825
Assessor Fees	1,500	1,218	(282)	1,000	218	66.67%	81.20%		1,218	1,219	(1)
Clerk Fees	18,000	14,318	(3,682)	12,000	2,318	66.67%	79.54%		14,318	10,963	3,355
Interest	32,000	32,209	209	21,333	10,875	66.67%	100.65%		32,209	85,772	(53,563)
Intergovernmental Charges	-	2,545	2,545	-	2,545	66.67%	0.00%		2,545	3,651	(1,106)
Licenses and Permits	5,515	3,483	(2,032)	3,677	(194)	66.67%	63.16%		3,483	5,563	(2,080)
Miscellaneous	51,900	70,382	18,482	34,600	35,782	66.67%	135.61%		70,382	11,517	58,865
Parking Fees	8,000	2,022	(5,978)	5,333	(3,311)	66.67%	25.28%		2,022	4,429	(2,407)
Rental of Real Property	10,000	10,950	950	6,667	4,283	66.67%	109.50%		10,950	11,600	(650)
Sale of Scrap	-	6,712	6,712	-	6,712	66.67%	0.00%		6,712	229	6,484
Tax Collector Fees	13,000	-	(13,000)	8,667	(8,667)	66.67%	0.00%		-	-	-
	\$ 159,915	\$ 157,288	\$ (2,627)	\$ 106,610	\$ 50,678	66.67%	98.36%		\$ 157,288	\$ 147,567	\$ 9,721
Interfund Revenues	\$ 542,300	\$ 8,109	\$ (534,191)	\$ 361,533	\$ (353,424)	66.67%	1.50%		\$ 8,109	\$ 11,404	\$ (3,295)
Mortgage Tax	\$ 350,000	\$ 270,747	\$ (79,253)	\$ 233,333	\$ 37,414	66.67%	77.36%		\$ 270,747	\$ 210,805	\$ 59,942
Planning Board Fees	\$ 96,000	\$ 150,129	\$ 54,129	\$ 64,000	\$ 86,129	66.67%	156.38%		\$ 150,129	\$ 65,252	\$ 84,877
Real Property Taxes	\$ 6,682,441	\$ 6,682,940	\$ 499	\$ 4,454,961	\$ 2,227,980	66.67%	100.01%		\$ 6,682,940	\$ 6,436,391	\$ 246,550
Recreation Fees	\$ 314,530	\$ 93,532	\$ (220,998)	\$ 209,687	\$ (116,155)	66.67%	29.74%		\$ 93,532	\$ 249,145	\$ (155,613)
Safety Inspection Fees	\$ 254,500	\$ 159,034	\$ (95,466)	\$ 169,667	\$ (10,633)	66.67%	62.49%		\$ 159,034	\$ 200,372	\$ (41,338)
Building Inspection Fees	\$ 234,000	\$ 143,015	\$ (90,985)	\$ 156,000	\$ (12,985)	66.67%	61.12%		\$ 143,015	\$ 185,362	\$ (42,347)
Wetland Fees	2,500	6,794	4,294	1,667	5,127	66.67%	271.76%		6,794	2,510	4,284
Zoning Fees	18,000	9,225	(8,775)	12,000	(2,775)	66.67%	51.25%		9,225	12,500	(3,275)
	\$ 254,500	\$ 159,034	\$ (95,466)	\$ 169,667	\$ (10,633)	66.67%	62.49%		\$ 159,034	\$ 200,372	\$ (41,338)
State Aid	\$ 182,571	\$ 12,101	\$ (170,470)	\$ 121,714	\$ (109,613)	66.67%	6.63%		\$ 12,101	\$ 21,034	\$ (8,933)
Tax Penalties	\$ 28,000	\$ 22,706	\$ (5,294)	\$ 18,667	\$ 4,040	66.67%	81.09%		\$ 22,706	\$ 28,680	\$ (5,974)
Total	\$ 9,235,257	\$ 8,079,420	\$ (1,155,837)	\$ 6,156,838	\$ 1,922,582	66.67%	87.48%		\$ 8,079,420	\$ 7,925,480	\$ 153,940

#12

A	B	C	D	E	F	G	H			
Revenues 2020	ADJUSTED BUDGET	YTD 8/31/2020	YTD BUDGET BALANCE	ADJUSTED BUDGET/7*12	COLUMN C MINUS COLUMN E	8/12*100	PERCENT USED	YTD 8/31/2020	YTD 8/31/2019	DIFFERENCE
Further Breakdown of Revenues 2020										
Intergovernmental Charges										
Code Enforcement Reimbursement - Village of Brewster		-								
Fuel Reimbursement - Village of Brewster		2,545								
Sand & Salt Reimbursement - Vails Grove		-								
Snow Plowing Reimbursement - Brewster Schools		-								
		2,545								
Interfund Revenues										
From MTA Parking Fund		\$ -								
From Other Funds		-								
Fuel Reimbursement From Other Funds		8,109								
Special District Administration		-								
		\$ 8,109								

	A	B	C	D	E	F	G	H					
Expenditures 2020		ADJUSTED	YTD	YTD BUDGET	ADJUSTED	COLUMN E MINUS							
		BUDGET	8/31/2020	BALANCE	BUDGET/7*12	COLUMN C	8/12*100	PERCENT USED	YTD	YTD		DIFFERENCE	
									8/31/2020	8/31/2019			
Cultural		\$ 69,200	\$ 43,785	\$ 25,415	\$ 46,133	\$ 2,349	66.67%	63.27%	\$ 43,785	\$ 61,414	\$ (17,629)		
Adult Recreation		\$ 23,700	\$ 1,951	\$ 21,749	\$ 15,800	\$ 13,849	66.67%	8.23%	\$ 1,951	\$ 20,024	\$ (18,073)		
Celebrations		1,000	-	1,000	667	667	66.67%	0.00%	-	-	-		
Historical Commission		500	-	500	333	333	66.67%	0.00%	-	-	-		
Museum		40,000	40,000	-	26,667	(13,333)	66.67%	100.00%	40,000	40,000	-		
Veterans		4,000	1,834	2,166	2,667	833	66.67%	45.85%	1,834	1,390	444		
		\$ 69,200	\$ 43,785	\$ 25,415	\$ 46,133	\$ 2,349	66.67%	63.27%	\$ 43,785	\$ 61,414	\$ (17,629)		
Employee Benefits		\$ 2,307,556	\$ 1,281,646	\$ 1,068,467	\$ 1,538,371	\$ 256,724	66.67%	51.78%	\$ 1,281,646	\$ 1,322,898	\$ (41,251)		
Active Employees		\$ 2,074,556	\$ 1,074,293	\$ 1,042,821	\$ 1,383,037	\$ 308,745	66.67%	51.78%	\$ 1,074,293	\$ 1,168,806	\$ (94,513)		
State Retirement		507,000	117,936	\$ 389,064	\$ 338,000	\$ 220,064	66.67%	23.26%	\$ 117,936	\$ 114,509	\$ 3,427		
Social Security		243,000	137,006	105,994	162,000	24,994	66.67%	56.38%	137,006	144,812	(7,806)		
Medicare		59,000	32,092	26,908	39,333	7,242	66.67%	54.39%	32,092	33,867	(1,775)		
Worker's Compensation		216,000	138,957	77,043	144,000	5,043	66.67%	64.33%	138,957	159,432	(20,475)		
Unemployment Insurance		14,106	14,105	1	9,404	(4,701)	66.67%	99.99%	14,105	-	14,105		
Disability Insurance		1,950	1,190	760	1,300	110	66.67%	61.05%	1,190	820	370		
Hospital & Medical Insurance		945,000	573,949	371,051	630,000	56,051	66.67%	60.74%	573,949	647,540	(73,592)		
Dental & Optical Insurance		70,000	42,558	70,000	46,667	4,109	66.67%	60.80%	42,558	49,125	(6,568)		
Union Welfare		18,500	16,500	2,000	12,333	(4,167)	66.67%	89.19%	16,500	18,700	(2,200)		
		\$ 2,074,556	\$ 1,074,293	\$ 1,042,821	\$ 1,383,037	\$ 308,745	66.67%	51.78%	\$ 1,074,293	\$ 1,168,806	\$ (94,513)		
Retired Employees		\$ 233,000	\$ 207,354	\$ 25,646	\$ 155,333	\$ (52,020)	66.67%	88.99%	\$ 207,354	\$ 154,092	\$ 53,262		
Hospital & Medical, Dental & Optical Insurance		\$ 233,000	\$ 207,354	\$ 25,646	\$ 155,333	\$ (52,020)	66.67%	88.99%	\$ 207,354	\$ 154,092	\$ 53,262		
General Gov't Supp't		\$ 2,632,477	\$ 1,613,566	\$ 1,018,911	\$ 1,754,985	\$ 141,418	66.67%	61.29%	\$ 1,613,566	\$ 1,703,532	\$ (89,966)		
Accounting		\$ 234,168	\$ 155,012	\$ 79,156	\$ 156,112	\$ 1,100	66.67%	66.20%	\$ 155,012	\$ 168,785	\$ (13,773)		
Assessor		192,121	121,437	70,684	128,081	6,643	66.67%	63.21%	121,437	117,482	3,955		
Attorney		311,385	178,940	132,445	207,590	28,650	66.67%	57.47%	178,940	192,836	(13,896)		
Budget Officer		20,092	13,892	6,200	13,395	(497)	66.67%	69.14%	13,892	13,637	255		
Central Communications		65,500	35,557	29,943	43,667	8,110	66.67%	54.28%	35,557	36,203	(647)		
Central Print/Mail		26,500	14,047	12,453	17,667	3,619	66.67%	53.01%	14,047	14,517	(470)		
Central Storeroom		11,183	6,721	4,462	7,455	734	66.67%	60.10%	6,721	4,980	1,741		
Contingency		15,732	-	15,732	10,488	10,488	66.67%	0.00%	-	-	-		
Sub-Contingency		28,022	-	28,022	18,681	18,681	66.67%	0.00%	-	-	-		
Engineer		55,000	39,688	15,312	36,667	(3,021)	66.67%	72.16%	39,688	72,089	(32,401)		
Facilities Maintenance		417,845	214,156	203,689	278,563	64,407	66.67%	51.25%	214,156	253,876	(39,719)		
Fiscal Agent		2,500	2,500	-	1,667	(833)	66.67%	100.00%	2,500	-	2,500		
General Govt. Equipment		-	-	-	-	-	66.67%	0.00%	-	-	-		
Interfund Loan Interest		-	-	-	-	-	66.67%	0.00%	-	-	-		

	A	B	C	D	E	F	G	H					
Expenditures 2020	ADJUSTED BUDGET	YTD 8/31/2020	YTD BUDGET BALANCE	ADJUSTED BUDGET/7*12	COLUMN E MINUS COLUMN C	8/12*100	PERCENT USED	YTD 8/31/2020	YTD 8/31/2019	DIFFERENCE			
Justice	424,654	241,629	183,025	283,103	41,474	66.67%	56.90%	241,629	272,224	(30,595)			
Municipal Association Dues	1,500	1,500	-	1,000	(500)	66.67%	100.00%	1,500	-	1,500			
Payment of MTA Payroll Tax	15,500	7,525	7,975	10,333	2,808	66.67%	48.55%	7,525	7,942	(417)			
Purchase of Land	-	-	-	-	-	66.67%	0.00%	-	-	-			
Records Management	6,838	4,313	2,525	4,559	246	66.67%	63.07%	4,313	4,234	79			
Special Districts	138,690	97,201	41,489	92,460	(4,741)	66.67%	70.09%	97,201	95,563	1,638			
Supervisor	133,014	90,436	42,578	88,676	(1,760)	66.67%	67.99%	90,436	88,588	1,848			
Tax Receiver	116,531	64,069	52,462	77,687	13,619	66.67%	54.98%	64,069	65,123	(1,055)			
Tax Refunds	25,000	19,232	5,769	16,667	(2,565)	66.67%	76.93%	19,232	928	18,304			
Town Board	86,788	56,384	30,404	57,859	1,475	66.67%	64.97%	56,384	56,563	(179)			
Town Clerk	153,914	103,930	49,984	102,609	(1,320)	66.67%	67.52%	103,930	98,617	5,313			
Unallocated Insurance	150,000	145,399	4,601	100,000	(45,399)	66.67%	96.93%	145,399	139,345	6,054			
	\$ 2,632,477	\$ 1,613,566	\$ 1,018,911	\$ 1,754,985	\$ 141,418	66.67%	61.29%	\$ 1,613,566	\$ 1,703,532	\$ (89,966)			
Highway	\$ 2,819,560	\$ 1,632,642	\$ 1,186,918	\$ 1,879,707	\$ 247,065	66.67%	57.90%	\$ 1,632,642	\$ 1,287,953	\$ 344,689			
General Repairs	1,015,500	638,635	376,865	677,000	38,365	66.67%	62.89%	638,635	720,672	\$ (82,037)			
Improvements	206,000	259,914	(53,914)	137,333	(122,581)	66.67%	126.17%	259,914	2,569	257,345			
Machinery	497,038	376,798	120,240	331,359	(45,439)	66.67%	75.81%	376,798	88,547	288,251			
Misc. Brush & Weeds	276,900	67,982	208,918	184,600	116,618	66.67%	24.55%	67,982	132,375	(64,393)			
Off - Street Parking	-	-	-	-	-	66.67%	0.00%	-	-	-			
Snow Removal	554,000	87,443	466,557	369,333	281,890	66.67%	15.78%	87,443	211,262	(123,819)			
Street Lighting	11,000	5,430	5,570	7,333	1,904	66.67%	49.36%	5,430	5,741	(312)			
Supt. Of Highways	259,122	196,440	62,682	172,748	(23,692)	66.67%	75.81%	196,440	126,786	69,654			
	2,819,560	1,632,642	1,186,918	1,879,707	247,065	66.67%	57.90%	1,632,642	1,287,953	344,689			
Home & Community	\$ 336,957	\$ 197,068	\$ 139,889	\$ 224,638	\$ 27,570	66.67%	58.48%	\$ 197,068	\$ 184,519	\$ 12,549			
Cable Television	\$ -	\$ -	\$ -	\$ -	\$ -	66.67%	0.00%	\$ -	\$ -	\$ -			
Cemeteries	9,000	4,022	4,978	6,000	1,978	66.67%	44.69%	4,022	3,830	192			
Code Enforcement	45,000	26,385	18,615	30,000	3,615	66.67%	58.63%	26,385	24,529	1,855			
Community Beautification	1,000	-	1,000	667	667	66.67%	0.00%	-	-	-			
Drainage	6,103	6,103	0	4,069	(2,034)	66.67%	100.00%	6,103	13,465	(7,363)			
Environmental Control	15,000	-	15,000	10,000	10,000	66.67%	0.00%	-	-	-			
Open Space Conservation	-	-	-	-	-	66.67%	0.00%	-	-	-			
Planning Board	196,838	136,605	60,233	131,225	(5,379)	66.67%	69.40%	136,605	120,906	15,699			
Refuse and Garbage	20,000	9,145	10,855	13,333	4,188	66.67%	45.73%	9,145	7,487	1,658			
Registrar Vital Statistics	10,132	6,591	3,541	6,755	164	66.67%	65.05%	6,591	6,470	121			
Tonetta Lake Advisory Board	-	-	-	-	-	66.67%	0.00%	-	-	-			
Town Planner	20,000	-	20,000	13,333	13,333	66.67%	0.00%	-	-	-			
Zoning Board	13,884	8,218	5,666	9,256	1,038	66.67%	59.19%	8,218	7,831	387			
	\$ 336,957	\$ 197,068	\$ 139,889	\$ 224,638	\$ 27,570	66.67%	58.48%	\$ 197,068	\$ 184,519	\$ 12,549			

	A	B	C	D	E	F	G	H					
Expenditures 2020		ADJUSTED BUDGET	YTD 8/31/2020	YTD BUDGET BALANCE	ADJUSTED BUDGET/7*12	COLUMN E MINUS COLUMN C	8/12*100	PERCENT USED	YTD 8/31/2020	YTD 8/31/2019			
Operating Transfers		\$ 353,390	\$ 144,212	\$ 209,178	\$ 235,593	\$ 91,381	66.67%	40.81%	\$ 144,212	\$ 225,689	\$ (81,477)		
Debt Service		\$ 353,390	\$ 144,212	\$ 209,178	\$ 235,593	\$ 91,381	66.67%	40.81%	\$ 144,212	\$ 102,219	\$ 41,993		
Transfer To Other Funds		-	-	-	-	-	66.67%	0.00%	-	123,470	(123,470)		
		\$ 353,390	\$ 144,212	\$ 209,178	\$ 235,593	\$ 91,381	66.67%	40.81%	\$ 144,212	\$ 225,689	\$ (81,477)		
Public Safety		\$ 356,662	\$ 238,501	\$ 118,161	\$ 237,775	(726)	66.67%	66.87%	\$ 238,501	\$ 243,224	\$ (4,724)		
Assessment Review Board		\$ 2,250	\$ 1,650	\$ 600	\$ 1,500	(150)	66.67%	73.33%	\$ 1,650	\$ 1,650	\$ -		
Control of Dogs		64,354	53,127	11,227	42,903	(10,224)	66.67%	82.55%	53,127	55,215	(2,088)		
Fire Protection		13,801	648	13,153	9,201	8,553	66.67%	4.69%	648	785	(137)		
Safety Inspection		276,257	183,076	93,181	184,171	1,095	66.67%	66.27%	183,076	185,574	(2,498)		
Safety Patrol		-	-	-	-	-	66.67%	0.00%	-	-	-		
		\$ 356,662	\$ 238,501	\$ 118,161	\$ 237,775	(726)	66.67%	66.87%	\$ 238,501	\$ 243,224	\$ (4,724)		
Recreation		535,093	248,304	286,789	356,729	108,424	66.67%	46.40%	\$ 248,304	\$ 366,266	\$ (117,962)		
Total		\$ 9,410,895	\$ 5,399,724	\$ 4,053,729	\$ 6,273,930	874,206	66.67%	57.38%	\$ 5,399,724	\$ 5,395,494	\$ 4,230		